

JORGE L. SANCHEZ, ESQ.
Nevada Bar No. 10434
SANCHEZ LAW GROUP, LTD.
930 South Fourth Street, Suite 211
Las Vegas, Nevada 89101
Phone (702) 635-8529
Attorney for Debtors

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:) BK-09-21090-BAM
)
FERMIN MARTINEZ &) CHAPTER 13
DOLORES HECHAVARIA,)
)
Debtors.) DATE: December 8, 2009
TIME: 1:30 p.m.
)

OPPOSITION TO MOTION FOR RELIEF FROM STAY

COME NOW the above-named debtors, Fermin Martinez & Dolores Hechavaria (hereinafter, the “**Debtors**”), by and through their attorney of record, Jorge L. Sanchez, of the law firm of Sanchez Law Group, Ltd., and hereby file the instant Opposition to the Motion for Relief from Stay filed by the secured creditor, Deutsche Bank National Trust Company as Trustee under Pooling and Servicing Agreement dated as of May 1, 2007 Securitized Asset Backed Receivables LLC Trust 2007-BR4 Mortgage Pass-Through Certificates, Series 2007-BR4 (hereinafter “**Secured Creditor**”), in regards to the Debtors’ property located 4946 Blanton Drive, Las Vegas, Nevada 89121 (the “**Subject Property**”). In support thereof, Debtors state as follows:

1. That on June 16, 2009, Debtors, by and through their counsel of record, petitioned this court for relief under Title 11 with a Chapter 13 bankruptcy filing.
2. That the Subject Property is the Debtors’ primary residence.
3. That the Debtors are current on their post-petition mortgage payments. See attached Exhibit A.

1 4. That the Subject Property in issue is necessary for an effective reorganization of
2 Debtors' assets under Chapter 13 of the United States Bankruptcy Code.

3 5. That it is fair and equitable to maintain the automatic stay over the Property
4 because Secured Creditor's interest has been adequately provided for by the Debtors' post-
5 petition mortgage payments.
6

7 6. That Secured Creditor will avoid substantial costs and fees associated with
8 foreclosing their interest on the property if the property remains within the bankruptcy estate.
9 See Secured Creditor's Motion for Relief from the Automatic Stay.

10 WHEREFORE, the Debtors pray this Court:

- 11 A. Deny Secured Creditor's motion for relief from automatic stay;
12 B. Deny Secured Creditor's request for attorney fees and costs in bringing its motion
13 for relief from stay;
14 C. Award Debtors attorney's fees for opposing Secured Creditor's motion for relief
15 from automatic stay; and
16 D. For such other relief as this Court may deem just and proper.
17

18 Dated this the 7th day of December, 2009.
19

20
21 /s/Jorge L. Sanchez, Esq.
22 JORGE L. SANCHEZ, ESQ.
23 Nevada Bar No. 10434
24 SANCHEZ LAW GROUP, LTD.
25 930 South Fourth Street, Suite 211
26 Las Vegas, Nevada 89101
27 Phone (702) 635-8529
28 Attorney for Debtors

SANCHEZ LAW GROUP, LTD.
930 S. FOURTH STREET, SUITE 211
LAS VEGAS, NEVADA 89101
(702) 635-8529

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Opposition to Motion for Relief from Stay was sent on December 7, 2009, electronically via the Court's CM/ECF system to the following:

Kathleen A. Leavitt
Chapter 13 Trustee

Greg L. Wilde, Esq.
Wilde & Associates
208 South Jones Boulevard
Las Vegas, Nevada 89107

/s/Brandy Goodwin/s/
An employee of Sanchez Law Group

SANCHEZ LAW GROUP, LTD.
930 S. FOURTH STREET, SUITE 211
LAS VEGAS, NEVADA 89101
(702) 635-8529